

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CHARIE AUTRY, on behalf of herself and all
others similarly situated,

Plaintiffs,

v.

CHARLOTTE PALM CORP.,

Defendant.

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: CIVIL ACTION
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: NO. 3:16-cv-00797-GCM
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PLAINTIFF’S UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF RULE 23 CLASS ACTION
AND FLSA COLLECTIVE ACTION SETTLEMENT

Plaintiff Charie Autry (“Plaintiff”), through her undersigned counsel, respectfully moves this Court for an Order:

1. Granting preliminary approval of the Parties’ Class Action Settlement Agreement as fair, reasonable, and adequate pursuant to Fed. R. Civ. P. 23(e), and a fair and reasonable resolution of a *bona fide* dispute under the Fair Labor Standards Act (*see* Memorandum in Support of Plaintiff’s Unopposed Motion for Preliminary Approval of Rule 23 Class Action and FLSA Collective Action, Exhibit 1);

2. Preliminarily certifying the following Settlement Class pursuant to Fed. R. Civ. P. 23 and 29 U.S.C. § 216(b) for the purposes of settlement:

Every individual employed by Defendant as a server, server assistant, runner and/or bartender during any workweek between November 18, 2013 and August of 2017;

3. Preliminarily approving Plaintiff Charie Autry as the Representative of the Settlement Class;
4. Preliminarily approving Gibbons Leis, PLLC and Stephan Zouras, LLP as Class Counsel for the Settlement Class;
5. Approving the Class Action Settlement Notice, which is attached as Exhibit B to the Class Action Settlement Agreement; and
6. Approving the proposed schedule and procedure for the final approval of the Class Action Settlement Agreement.
7. Defendant does not oppose this Motion.
8. A proposed Order is submitted for the Court's consideration.

/s/ Philip J. Gibbons, Jr.
Philip J. Gibbons, Jr., NCSB #50276
phil@gibbonsleis.com
Craig L. Leis, NCSB #48582
GIBBONS LEIS, PLLC
14045 Ballantyne Corporate Pl., Suite 325
Charlotte, NC 28277
Telephone: (704)-612-0038
Facsimile: (704) 612-0038

Ryan F. Stephen
rstephen@stephansouras.com
James B. Zouras
jzouras@stephanzouras.com
Andrew C. Ficzeko
aficzko@stephanzouras.com
STEPHAN ZOURAS, LLP
205 N. Michigan Ave., Suite 2560
Chicago, IL 60601
Telephone: (312) 233-1550
Facsimile (312) 233-1560

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that on September 7, 2018, the undersigned filed the foregoing using the Court's CM/ECF system which will send notification of such filing to the appropriate CM/ECF participants.

/s/ Philip J. Gibbons, Jr.
Attorney for Plaintiff(s)